

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	
)	No. 61454-1-I
Respondent,)	
)	
v.)	DIVISION ONE
)	
TERESA JOYCE HOPKINS,)	UNPUBLISHED OPINION
)	
Appellant.)	FILED: May 26, 2009

PER CURIAM. Teresa Hopkins appeals her conviction for forgery. She contends the jury source list statute, RCW 2.36.055, and King County Local General Rule 18(e) (KCLGR) violated the state constitution to the extent they allowed her jury to be drawn from only a portion of King County. She also argues that KCLGR 18(e) violated her constitutional and statutory right to a jury representing a cross section of the community because it results in the exclusion of a distinctive group from jury service.¹

After Hopkins filed her opening brief, the Washington State Supreme Court held in State v. Lanciloti, 165 Wn.2d 661, 663, 201 P.3d 323 (2009) that the jury source list statute and KCLGR 18(e) do not violate the state constitution because the legislature had plenary authority to authorize the division of King County into two superior court jury districts. The court further held that Lanciloti's argument regarding the systemic exclusion of groups from the jury pool was "unripe" because of "the scant factual record of the actual makeup of the jury source lists." Lanciloti, at 672.

¹ KCLGR 18 was suspended effective September 1, 2008.

The State contends, and it appears to us, that Lanciloti controls Hopkins' arguments here. With respect to Hopkins' claim that a distinctive group is excluded from jury service, the State asserts that the record in this case is even less developed than the record the court found insufficient in Lanciloti. Hopkins did not file a reply brief and does not dispute the State's assertion that Lanciloti is controlling. We therefore affirm.

Affirmed.

For the court:

Jan, J.
Dwyer, A.C.J.
Grosz, J.